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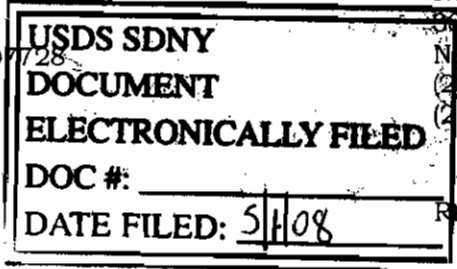
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April 29, 2008

VIA FAX

MEMO ENDORSED

Honorable Colleen McMahon
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
Chamber 640
New York, New York 10007

Re: *In re Alper Holdings USA, Inc., Debtor, Ray and Cathy Flake, Appellants v. Alper Holdings USA, Inc., Appellee*, Case No. 1:08-cv-02489 (CM)

Dear Judge McMahon:

My firm, along with Stutzman, Bromberg, Esserman & Plifka, A Professional Corporation, is counsel for Appellants Ray and Cathy Flake in the above-captioned appeal (the "Flake Appeal").

Today, Monday, April 29, 2008, I received the Court's Memorandum Order (the 'Memorandum Order'), dated April 28, 2008, in which the Court indicated that the four consolidated appeals in case nos. 08-cv-02489, 08-cv-03344, 08-cv-03625, and 08-cv-02428 will be conferenced on May 9, 2008, to discuss scheduling.

Pursuant to the Court's Docket in the Flake Appeal (08-cv-02489, Docket No. 9), the Flakes' Reply Brief is due on May 5, 2008. The Flakes respectfully request guidance from the Court as to whether, in light of the Memorandum Order, their filing of the Reply Brief is to abide the schedule to be set at the May 9, 2008 hearing.

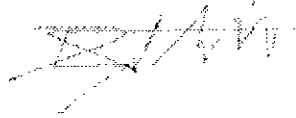
*don't forget to
reply brief
yet*

Colleen McMahon
5/1/08

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Pursuant to the Court's Memorandum Order, the parties are in the process of consulting regarding an expedited briefing schedule. Thank you for your consideration of this matter.

Respectfully submitted,



Douglas T. Tabachnik

cc: **To All Counsel Below Via Fax:**

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